

# **Exhibit “U”**

## **Part 5**

LIBER 1952 P. 358

THE CHISHOLM PRINTING COMPANY, 225 VARICK ST., N. Y. 10000

# This Indenture,

Made the Fifteenth  
hundred and Seventy-three

day of August, nineteen

Between CLIFFORD S. GRAHAM, residing at Kingswood Gardens,  
Town of New Windsor, County of Orange and State of New York and  
ELEANOR C. GRAHAM, his wife, residing at RD #2, Town of Newburgh,  
County of Orange and State of New York,

parties of the first part, and  
ELEANOR C. GRAHAM, residing at RD #2, Town of Newburgh,  
County of Orange and State of New York,

party of the second part:

Witnesseth, that the parties of the first part, in consideration of -----TEN-----  
lawful money of the United States, (\$10.00) -----Dollars,

do hereby grant and release unto the party of the second part,  
her heirs and assigns forever,

all that certain plot, piece or parcel of land, with the  
buildings and improvements thereon erected, situate, lying and being  
in the Town of Cornwall, Orange County, New York, bounded and des-  
cribed as follows:

BEGINNING at a stake set in a stone wall on line of lands  
of David Bundy, said point being in the easterly boundary of lands of  
OR. CORNELL OF HOWARD O. BENEDICT  
Party of the first part and being 128.0 feet distant measured S 11°

00' W from the intersection of two stone walls forming the northwest  
corner of said Bundy's land and runs thence (1) S 11° 00' W along the  
stone wall on line of lands of Bundy 115.00 feet to a stake set in  
the stone wall, thence (2) N 79° 00' W 160.00 feet to an iron pipe  
driven in the ground on the easterly side of a private road, thence  
(3) N 11° 00' E 115.00 feet to an iron pipe driven in the ground,  
thence (4) S 79° 00' E 160.00 feet to a point of beginning. Containing  
0.422 acre of land more or less.

Together, with a right of way for the parties of the second  
part over and upon a private road running from the westerly side of

the herein described lands southwesterly to the State Highway Route 45.  
All bearings are magnetic bearings as of March, 1947.

Being a portion of lands conveyed by Edward P. Runyan to

Howard O. Benedict by Deed dated October 24, 1935 and recorded in the

68-20-1973

1952 CP 358

Orange County Clerk's Office in Liber 763, Page 499.

BEING and intended to be the same premises conveyed by Howard O. Benedict to Clifford S. Graham and Eleanor C. Graham, by deed dated September 5, 1947 and recorded in the Orange County Clerk's Office on September 16, 1947 in Liber 1059 of Deeds at page 133.

**ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE**  
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK  
ESTATE OF ELEANOR C. GRAHAM

TO  
ESTATE OF ELEANOR C. GRAHAM,  
LEE CHASE BENEDICT, GERTRUDE  
BENEDICT and MICHAEL MITCHELL

SECTION 5 BLOCK 1 LOT 14 *Thames*  
*T/News Windsor*

RECORD AND RETURN TO:  
(Name and Address)

*Richard W. Hoyt, Esq. JOHN POGGIO*  
*P.O. Box 1178 GRAND ST*  
*Waters 77-4-12586 Newburgh 14*  
*12550*

THERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED \_\_\_\_\_ MORTGAGE \_\_\_\_\_ SATISFACTION \_\_\_\_\_ ASSIGNMENT \_\_\_\_\_ OTHER *Agmt*

**PROPERTY LOCATION**

2009 BLOOMING GROVE (TN)	4280 MONTGOMERY (TN)	NO. PAGES <u>9</u>	CROSS REF
2001 WASHINGTONVILLE (VLG)	4201 MAYBROOK (VLG)	CERT. COPY	AFFT
2289 CHESTER (TN)	4203 MONTGOMERY (VLG)	PAYMENT TYPE: CHECK <u>X</u>	
2201 CHESTER (VLG)	4205 WALDEN (VLG)	CASH	
2489 CORNWALL (TN)	4489 MOUNT HOPE (TN)	CHARGE	
2401 CORNWALL (VLG)	4401 OTISVILLE (VLG)	NO FEE	
2600 CLAWFORD (TN)	4600 NEWBURNH (TN)	CONSIDERATION \$ <u>2</u>	
2800 DEER PARK (TN)	4800 NEW WINDSOR (TN)	TAX EXEMPT	
3089 GOSHEN (TN)	5089 TUXEDO (TN)	MORTGAGE AMT \$	
3001 GOSHEN (VLG)	5001 TUXEDO PARK (VLG)	DATE	
3003 FLORIDA (VLG)	5200 WALLKILL (TN)	MORTGAGE TYPE:	
3005 CHESTER (VLG)	5489 WARWICK (TN)	(A) COMMERCIAL	
3200 GREENVILLE (TN)	5401 FLORIDA (VLG)	(B) 1 OR 2 FAMILY	
3409 HAMPTONBURNH (TN)	5403 GREENWOOD LAKE (VLG)	(C) UNDER \$10,000	
3401 MAYBROOK (VLG)	5405 WARWICK (VLG)	(E) EXEMPT	
3889 HIGHLANDS (TN)	5600 WAWAYANDA (TN)	(F) 3 TO 6 UNITS	
3601 HIGHLAND FALLS (VLG)	6889 WOODBURY (TN)	(I) NAT. PERSON OR UNION	
3889 MINISINK (TN)	5001 HARRIMAN (VLG)	(J) NAT. PER. COLUMN OR 2	
3801 UNIONVILLE (VLG)		(K) CONDO	
4089 MONROE (TN)	<b>CITIES</b>		
4001 MONROE (VLG)	0900 MIDDLETOWN		
4003 HARRIMAN (VLG)	1100 NEWBURNH		
4005 KIRYAS JOEL (VLG)	1300 PORT JENVIS		
	8999 HOLD		

*Donna L. Benson*  
DONNA L. BENSON  
Orange County Clerk

RECEIVED FROM: *Grenell*

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LIBER 5219 PAGE 256  
ORANGE COUNTY CLERK'S OFFICE 1129 DAB  
RECORDED/FILED 01/06/2000 02:47:48 PM  
FEES 37.00 EDUCATION FUND 5.00  
SERIAL NUMBER: 005332  
DEED CNTL NO 50255 RE TAX .00

**PRIVATE ROAD MAINTENANCE AGREEMENT**

AGREEMENT made this 17<sup>th</sup> day of September, 1999 by and between  
the Estate of ELEANOR C. GRAHAM, DONALD C. GRAHAM,  
ADMINISTRATOR, 16 Benedict Lane, New Windsor, New York 12553 and LEE  
CHASE BENEDICT, 12 Benedict Lane, New Windsor, New York 12553,  
GERTRUDE BENEDICT, 8 Benedict Lane, New Windsor, New York 12553 and  
MICHAEL MITCHELL, 7 Benedict Lane, New Windsor, New York 12553;

WHEREAS, the parties hereto are the record owners of property either  
abutting or including lands containing a private road running northerly and easterly  
from New York State Route 94, a public road, in the Town of Cornwall, County of  
Orange, State of New York, which private road is depicted at Schedule "A"  
attached hereto and made a part hereof; and

WHEREAS, the said ESTATE OF GRAHAM is the owner of lands  
described at Liber 1952 of Deeds, p. 358, Orange County Clerk, and

WHEREAS, the said LEE CHASE BENEDICT is the owner of lands  
described at Liber 2044 of Deeds, p. 842, Orange County Clerk, and

WHEREAS, the said GERTRUDE BENEDICT is the owner of lands  
described at Liber 3315, p. 182 and Liber 4065, p. 141, Orange County Clerk, and

WHEREAS, the said MICHAEL MITCHELL is the owner of lands  
described at Liber 3526, p. 330, Orange County Clerk, and

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WHEREAS, it is in the best interests of the aforesaid parties and their respective heirs, successors and assigns to have an agreement which sets forth the obligation to maintain and repair the private road so that it is at all times in a passable condition and which sets forth the financial obligation of the aforesaid owners with respect to normal maintenance, repair and snow removal and improvements to said private road, and

WHEREAS, it is the intent of the parties hereto to record this Private Road Maintenance Agreement and for the protection and benefit of the aforesaid lots, to make the provisions of this Agreement binding upon the present and future owners of the lands referenced hereinabove and to have said Agreement run with the land;

NOW, THEREFORE, it is hereby agreed as follows:

1. The Parties hereto, their heirs, distributees, successors and assigns shall have the joint, equal and mutual right to use the private road between their respective parcels and NYS Route 94 for all appurtenant and lawful uses and for ingress and egress for their mutual convenience and benefit.

2. The expenses of ice control and snow removal, necessary maintenance or improvements shall be apportioned as follows:

- a) Estate of Graham – Thirty-five (35%) percent
- b) Lee Chase Benedict – Thirty (30%) percent
- c) Gertrude Benedict – Twenty (20%) percent

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d) Michael Mitchell – Fifteen (15%) percent

3. The expenses of road improvements up to the sum of ONE THOUSAND (\$1,000.00) DOLLARS including, without limitation, re-surfacing and/or drainage, shall be apportioned in the same manner set forth in Paragraph 2 above, provided that the owners of at least three (3) of the aforesaid four (4) lots, each lot having one vote, agree to the installation of such major improvements. Road improvements costing more than ONE THOUSAND (\$1,000.00) DOLLARS annually must be approved by all four (4) of the owners of the four (4) properties described herein and shall be apportioned per the same formula set forth at Paragraph 2 above. The decision to plow snow and/or control ice and/or repair potholes shall be made by a Road Manager to be selected annually by a majority of the lot owners, each lot owner having one vote. The Road Manager must be one of the lot owners. The Road Manager's decisions shall be final and binding upon all of the lot owners but must take into consideration the needs of any of the lot owners to be able to travel the private road at different times of the day or night.

4. In the event that the said private road ever becomes a public road, this Agreement shall be null and void.

5. No structures, including, without limitation, walls, fences or plantings shall be erected upon any part of the private road which will interfere with the rights of ingress and egress provided in paragraph 1 hereinabove.

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6. The lot owners agree that the private road shall always be maintained so as to be passable by ordinary vehicles and this shall include prompt repair of "potholes" or other defects in the road which cause said private road to fail to meet that standard or cause said road to become otherwise substandard.

7. Each lot owner for himself, his heirs, executors and assigns covenants and agrees to pay his or her share of the cost to maintain, repair and remove snow from the private road and to perform other improvements in accord with the terms of this Agreement. The lot owner's assessment in this regard shall be paid promptly when same becomes due.

8. In the event a lot owner fails to pay the assessment promptly when due, the amount of the assessment shall be a lien against the lot owner's premises to which the assessment applies. The assessment lien may be enforced in equity as in the case of any lien foreclosure and shall include the reasonable attorney's fees and other costs of enforcing and collecting on the same. The assessment shall accrue to the benefit of and may be enforced jointly and severally by the other property owners or by a general contractor hired by the lot owners on their behalf to do maintenance or repair work on the said private road.

9. This Agreement shall be binding upon the parties hereto, their heirs, successors and assigns.

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IN WITNESS WHEREOF the parties have set their hands and seals on this

17<sup>th</sup> day of September, 1999.

ESTATE OF ELEANOR C. GRAHAM

By: Donald C. Graham  
DONALD C. GRAHAM, ADMIN.

Lee Chase Benedict  
LEE CHASE BENEDICT

Gertrude Benedict  
GERTRUDE BENEDICT

Michael Mitchell  
MICHAEL MITCHELL

STATE OF NEW YORK

ss:

COUNTY OF ORANGE )

On this 17<sup>th</sup> day of September, 1999, before me personally came DONALD C. GRAHAM, the Administrator of the Estate of Eleanor C. Graham, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he executed the same.

Notary Public

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ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE

TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

Benedict Pond of  
New Windsor LLC

SECTION 65 BLOCK 1 LOT 54

93

RECORD AND RETURN TO:  
(unit and address)

12. DINANDREA  
PO BOX  
WINDSOR NY  
12506

TO  
Sonsoco Holding  
LLC



THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH  
RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER *Change of Ownership*

PROPERTY LOCATION

2089 BLOOMING GROVE (TN)  
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2289 CHESTER (TN)  
2201 CHESTER (VLG)  
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3200 GREENVILLE (TN)  
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4005 KIRYAS JOEL (VLG)

4289 MONTGOMERY (TN)  
4201 MAYBROOK (VLG)  
4203 MONTGOMERY (VLG)  
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5405 WARWICK (VLG)  
5600 WAWAYANDA (TN)  
5889 WOODBURY (TN)  
5801 HARRIMAN (VLG)

CITIES

0900 MIDDLETOWN  
1100 NEWBURGH  
1300 PORT JERVIS

9999 HOLD

NO PAGES 11 CROSS REF.  
CERT. COPY ADD'L X-REF.  
MAP# PGS.

PAYMENT TYPE: CHECK  
CASH  
CHARGE  
NO FEE

Taxable  
CONSIDERATION \$ 3,000,000  
TAX EXEMPT

Taxable  
MORTGAGE AMT. \$  
DATE

MORTGAGE TAX TYPE:

(A) COMMERCIAL/FULL 1%  
(B) 1 OR 2 FAMILY  
(C) UNDER \$10,000  
(E) EXEMPT  
(F) 3 TO 6 UNITS  
(I) NAT.PERSON/CR. UNION  
(J) NAT.PER-CR.UN/1 OR 2  
(K) CONDO

*Donna L. Benson*

DONNA L. BENSON  
ORANGE COUNTY CLERK

RECEIVED FROM: *Jacobowitz*

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04/23/2008 14:13:30  
DONNA L. BENSON  
County Clerk  
ORANGE COUNTY, NY

FILE # 20030063798  
CONTR / BK 11026 PG 1725  
RECORDING FEES 63.00  
TTX# 008804 TRHNS THX 0.00  
Receipt#108769 dab

